

FILED  
 UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF CALIFORNIA

FEB 23 AM 8:23

UNITED STATES OF AMERICA

v.

## JUDGMENT IN A CRIMINAL CASE

(For Organizational Defendants)

ALVARADO MEDICAL PLAZA PHARMACY, INC. (1)

CASE NUMBER: 13CR4295-JLS

DANA M. GRIMES

Defendant Organization's Attorney

☐

## THE DEFENDANT ORGANIZATION:

☒ pleaded guilty to count(s) ONE OF THE INFORMATION
☐ was found guilty on count(s)

after a plea of not guilty.

Accordingly, the defendant organization is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1347 & 18 USC 2	AIDING AND ABETTING, HEALTHCARE FRAUD	1

The defendant organization is sentenced as provided in pages 2 through 5 of this judgment.

The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant organization has been found not guilty on count(s)

☐ Count(s) \_\_\_\_\_ ☐ is ☐ are dismissed on the motion of the United States.

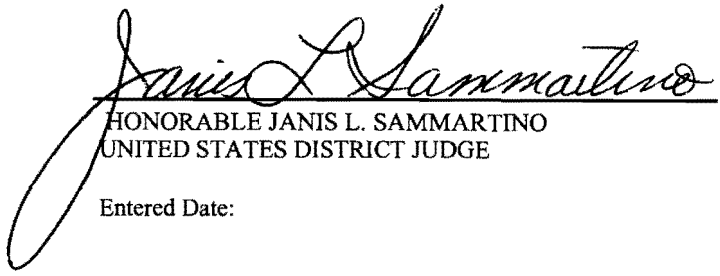
☒ Assessment : \$ 400.00

☐ Fine ordered waived

IT IS ORDERED that the defendant organization shall notify the United States Attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization shall notify the court and United States Attorney of any material change in the organization's economic circumstances.

FEBRUARY 21, 2014

Date of Imposition of Sentence

  
 HONORABLE JANIS L. SAMMARTINO  
 UNITED STATES DISTRICT JUDGE

Entered Date:

13CR4295-JLS

DEFENDANT ORGANIZATION: ALVARADO MEDICAL PLAZA PHARMACY, INC. (1)  
CASE NUMBER: 13CR4295-JLS

### PROBATION

The defendant organization is hereby sentenced to probation for a term of:

FIVE (5) YEARS

### MANDATORY CONDITION

☒ The defendant organization shall not commit another federal, state or local crime.

☒ If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant organization pay any such fine or restitution.


☒ The defendant organization shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant organization shall also comply with the additional conditions on the attached page.

### STANDARD CONDITIONS OF SUPERVISION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organizations's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees;
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

AO 245E (Rev. 9/00) Judgment in a Criminal Case for Organizational Defendants  
Sheet 2 — Continued 1 — Probation

Judgment—Page 3 of 3

DEFENDANT ORGANIZATION: ALVARADO MEDICAL PLAZA PHARMACY, INC. (1)   
CASE NUMBER: 13CR4295-JLS

### **SPECIAL CONDITIONS OF SUPERVISION**

- (1) Provide complete disclosure of personal and business financial records to the probation officer as requested.
- (2) Subject corporate records and premises to search by probation officer.
- (3) The corporation is required to have an effective program to prevent and detect violations of law.

AO 245S Judgment in Criminal Case  
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 4 of 5

DEFENDANT: ALVARADO MEDICAL PLAZA PHARMACY, INC. (1)  
CASE NUMBER: 13CR4295-JLS

### FINE

The defendant shall pay a fine in the amount of \$10,000.00 unto the United States of America.

This sum shall be paid        immediately.  
  x   as follows:

Pay a fine in the amount of \$10,000.00 through the Clerk, U.S. District Court. Payment of fine shall be forthwith. The defendant shall pay the fine during its probation at the rate of \$2,500.00 per month. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to it to collect the fine judgment at any time.

Until fine has been paid, the defendant shall notify the Clerk of the Court and the United States Attorney's Office of any change in the defendant's mailing or residence address, no later than thirty (30) days after the change occurs.

The Court has determined that the defendant does have the ability to pay interest. It is ordered that:

  x   The interest requirement is waived.

       The interest is modified as follows:

AO 245S Judgment in Criminal Case  
Sheet 5 -- Criminal Monetary Penalties

Judgment — Page 5 of 5

DEFENDANT: ALVARADO MEDICAL PLAZA PHARMACY, INC. (1)  
CASE NUMBER: 13CR4295-JLS

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## RESTITUTION

The defendant shall pay restitution in the amount of \$1,004,282.04 unto the United States of America.

This sum shall be paid        immediately.  
  x   as follows:

Pay restitution in the amount of \$1,004,282.04, through the Clerk, U.S. District Court. Payment of restitution shall be forthwith to the Center for Medicare and Medicaid Services, Division of Accounting Operations, 7500 Security Boulevard, Mailstop C3-11-03, Baltimore, MD 21244. The defendant shall pay the restitution during its probation at the rate of \$2,500.00 per month. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to it to collect the restitution judgment.

Defendant shall be jointly and severally liable to pay restitution with co-defendant William Nicholas Burdine, for the same losses.

Until restitution has been paid, the defendant shall notify the Clerk of the Court and the United States Attorney's Office of any change in the defendant's mailing or residence address, no later than thirty (30) days after the change occurs.

The Court has determined that the defendant does have the ability to pay interest. It is ordered that:

  x   The interest requirement is waived.

       The interest is modified as follows: